

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------------|-------------------------|---------------|-------------------|
| Applicant: | Juan Arroyo et al. | Art Unit: | 1648 |
| Serial No.: | 10/715,868 | Examiner: | M. Franco Salvoza |
| Filed: | November 17, 2003 | Customer No.: | 21559 |
| Confirmation No.: | 5599 | | |
| Title: | West Nile Virus Vaccine | | |

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCEPT UNINTENTIONALLY DELAYED PRIORITY CLAIM
PURSUANT TO 37 C.F.R. § 1.78(A)(3)

Applicants petition to amend the priority claim of the above-captioned patent application to include reference to PCT/US03/36623, filed November 13, 2003 (WO 2004/045529, published June 3, 2004). The entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and the date the claim was filed was unintentional. In particular, upon preparation of a reply in this case for filing on June 19, 2007, Applicants' representative noticed that the corresponding PCT international application (PCT/US03/36623) was filed four days before the present application was filed. Both the present application and the corresponding PCT international application claim priority to the same provisional application.

As required by 37 C.F.R. § 1.17(t), Applicants authorize payment of \$1370.00 for this petition from Deposit Account No. 03-2095. Please also apply any additional required fees or apply any credits to Deposit Account No. 03-2095.

Respectfully submitted,

Date: June 19, 2007

Susan M. Michaud
Susan M. Michaud, Ph.D.
Reg. No. 42,885

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045